

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Ismael Genao,)	No. CV 11-388-TUC-FRZ (GEE)
Petitioner,)	ORDER
vs.)	
Craig Apker,)	
Respondent.)	

Before the Court for consideration is a Petition for Writ of Habeas Corpus, filed by Petitioner Ismael Genao pursuant to 28 U.S.C. § 2241, and the Report and Recommendation of the Magistrate Judge, recommending the dismissal of the Petition.

Petitioner raises six grounds for relief arising from two disciplinary incidents, which resulted in the loss of 81 days of good-time credit, claiming his constitutional rights to due process were violated.

This matter was referred to Magistrate Judge Glenda E. Edmonds, pursuant to the provisions of 28 U.S.C. § 636(b), Rule 72, Fed.R.Civ.P., and Local Rules 72.1 and 72.2 of the Rules of Practice of the United States District Court for the District of Arizona, for further proceedings and report and recommendation.

Magistrate Judge Edmonds issued her Report and Recommendation, recommending that the Court, after its independent review of the record, enter an order denying the Petition for Writ of Habeas Corpus on the merits and deny Petitioner's motions for contempt and to strike.

1 The Report and Recommendation sets forth the factual and procedural history of the
2 disciplinary actions at issue and provides a thorough legal analysis of the claims asserted.

3 Petitioner filed his Objection to the Report and Recommendation, pursuant to 28
4 U.S.C. §636(b), challenging the substantive findings set forth therein.

5 The Court finds, after consideration of all matters presented and an independent
6 review of the record herein, including Petitioner's Objection, that the Report and
7 Recommendation shall be adopted.

8 Based on the foregoing,

9 IT IS ORDERED that Magistrate Judge Edmond's Report and Recommendation (Doc.
10 14) is hereby ACCEPTED AND ADOPTED as the findings of fact and conclusions of law
11 of this Court;

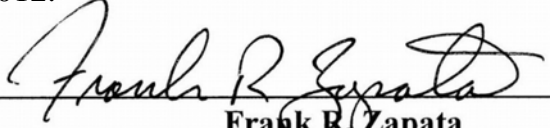
12 IT IS FURTHER ORDERED that the Petition for Writ of Habeas Corpus is DENIED
13 and this action is hereby DISMISSED;

14 IT IS FURTHER ORDERED that Petitioner's Motion for Contemp (Doc. 11) and
15 Motion to Strike (Doc. 12) are thereby DENIED;

16 IT IS FURTHER ORDERED that Petitioner's Motions for Oral Argument (Doc. 16);
17 Motion to Strike (Doc. 17); and Motion for Leave to File Amended Petition (Doc. 19) are
18 DENIED as moot;

19 IT IS FURTHER ORDERED that the Clerk of Court enter judgment accordingly.

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21 DATED this 6th day of August, 2012.

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23 
24 Frank R. Zapata
25 Senior United States District Judge
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